

IN RE: PETITION FOR ZONING VARIANCE  
S/S Eastridge Garth, 95' +/-  
E of Eastridge Road  
(203 Eastridge Garth)  
8th Councilmanic District  
4th Councilmanic District  
Bruce E. Copeland, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-547-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 5 feet in lieu of the required 8 feet for a proposed family room addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Rebecca L. Copeland, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 203 Eastridge Garth, consists of .2 acres zoned D.R. 3.5 and is improved with a single family dwelling and detached garage. Petitioners propose constructing a 22' x 15' family room addition on the west side of the existing dwelling to provide more living space. Testimony indicated that due to the layout of the existing dwelling and its location on the lot, the proposed site for the addition is the most feasible location. Further testimony indicated that the neighbors on the affected side of the requested variance have no objections to the proposed addition. Petitioner testified the requested variance will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of July, 1989 that the Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 8 feet for a proposed family room addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN:bjjs  
J. Robert Haines  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

July 18, 1989



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Bruce E. Copeland  
203 Eastridge Garth  
Timonium, Maryland 21093

RE: PETITION FOR ZONING VARIANCE  
S/S Eastridge Garth, 95' +/- E of Eastridge Road  
(203 Eastridge Garth)  
8th Election District - 4th Councilmanic District  
Bruce E. Copeland, et ux - Petitioners  
Case No. 89-547-A

Dear Mr. & Mrs. Copeland:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN W. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjjs

cc: People's Counsel

File

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., June 15, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 15, 1989

THE JEFFERSONIAN,

S. Zebe Orlov  
Publisher

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein at Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance  
Case number: 89-547-A  
S/S Eastridge Garth, 95' +/- E of Eastridge Road  
(203 Eastridge Garth)  
8th Election District  
4th Councilmanic District  
Petitioners:  
Bruce E. Copeland, et ux  
Hearing Date: Tuesday, July 11, 1989 at 2:00 p.m.

Variance to allow a side yard setback of 5 ft. in lieu of the required 8 ft.  
While it is noted that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
J74-238 June 15

#### ZONING DESCRIPTION

Beginning on the south side of Eastridge Garth being Lot 8 Block B Precinct 6 District 8 in the subdivision of Eastridge Garth Liber 28 Folio 28 also known as 203 Eastridge Garth. West edge of property begins 120.19' from center of Eastridge Road.

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., June 15, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 15, 1989

TOWSON TIMES,

S. Zebe Orlov  
Publisher

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

Dist. 8th Date of Posting: 4/23/89  
Posted for: Variance  
Petitioner: Bruce E. Copeland, et ux  
Location of property: S/S Eastridge Garth, 95' +/- E of Eastridge Rd.  
Location of Sign: 203 Eastridge Garth  
Remarks: var. to allow side yard setback of 5 ft. in lieu of 8 ft.  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

June 16/89

Mr. & Mrs. Bruce E. Copeland  
203 Eastridge Garth  
Timonium, Maryland 21093

Re: Petition for Zoning Variance  
CASE NUMBER: 89-547-A  
S/S Eastridge Garth, 95' +/- E of Eastridge Road  
203 Eastridge Garth  
8th Election District - 4th Councilmanic District  
Petitioner(s): Bruce E. Copeland, et ux  
HEARING SCHEDULED: TUESDAY, JULY 11, 1989 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$105.53 is due for advertising and posting of the above referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the time it is posted by this office until the day of the hearing.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL BE VOID.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign and post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 Fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 7/11/89 ACCOUNT: 89-547-A  
AMOUNT: \$ 105.53  
FROM: Bruce E. Copeland  
FOR: 89-547-A

RECEIVED FROM: 89-547-A

VALIDATION OR SIGNATURE OF CASHIER

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-547-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1062.3.3 (21.1.3) ----- To allow a side yard setback ----- of 5 ft. in lieu of the required 8 ft.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)  
Requesting zoning variance of 5' in lieu of 8' from new addition to property line. Proposed family room addition would be 22' x 15'. Not feasible to build addition on any other part of house or to build a second story to house. Family room must be attached at west end of house as living area is at west end of house.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

|                           |                           |
|---------------------------|---------------------------|
| Contract Purchaser:       | Legal Owner(s):           |
| (Type or Print Name)      | (Type or Print Name)      |
| Signature                 | Signature                 |
| Address                   | Address                   |
| City and State            | City and State            |
| Attorney for Petitioner:  | Attorney for Petitioner:  |
| (Type or Print Name)      | (Type or Print Name)      |
| Signature                 | Signature                 |
| Address                   | Address                   |
| City and State            | City and State            |
| Attorney's Telephone No.: | Attorney's Telephone No.: |

ORDERED BY The Zoning Commissioner of Baltimore County, this 26 day of April, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11 day of July, 1989, at 2 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

May 31, 1989

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

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HEARING SCHEDULED: TUESDAY, JULY 11, 1989 at 2:00 p.m.

Variance to allow a side yard setback of 5 ft. in lieu of the required 8 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
cc: File



